

**CITY OF NORWALK
THIRD TAXING DISTRICT
MAY 19, 2003**

ATTENDANCE: **David L. Brown, Chairman; Paul S. Coggin; Stephen Feinstein**

STAFF: **George Leary, General Manager**

OTHERS: **Larry Dennin, Esq., District Counsel; Jerry Curti, Diane Cece**

The Chairman called the meeting to order at 7:03 p.m.

1. PUBLIC COMMENT

Ms. Cece asked if the Commissioners could help at all with getting a stop sign on Olmstead Avenue. She said she met with the Mayor in September, and he said he would take care of it right away but nothing had been done. Mr. Brown said he had spoken to Laura Lindstrom when the Mayor was present. He asked the Mayor about it and the Mayor said there was a technical problem as to why it had not been done, i.e., a light could not be put there because traffic would back up on the thru-way. He said it might be a good idea to talk about it. Ms. Cece said at first, the state said it was going to widen East Avenue, but the state version had changed. Later they said they were afraid of traffic backing up on St. John. Ms. Cece said if the light were timed correctly, it would not be a problem. Mr. Feinstein said they could run it by the Council but he did not believe the Commissioners had any jurisdiction over this. Mr. Brown said Laura Lindstrom had become something of an ombudsman between the District and the City and she might be able to help. He said although the Commission had no jurisdiction, it might have some influence. Mr. Coggin agreed. Mr. Feinstein thought the DPW had jurisdiction. Mr. Coggin said he would be comfortable with a statement to the effect that "it would be appreciated if the City could hear the request and explore it." He thought the City should, at least, look at it and give her an answer. He said he would support that. Mr. Brown said he was also sympathetic to that. Mr. Curti said they had been getting the run-around. Ms. Cece said she would keep after them. Mr. Coggin said it was a City item and it was something they should look into. Mr. Feinstein said Ms. Cece would be justified in asking for a definitive answer. Messrs. Brown and Coggin agreed.

2. APPROVAL OF MINUTES FROM MARCH 10, 2003 MEETING

1. The Minutes should be marked "DRAFT."
2. Page 4, first motion, line 3 – "CHARIOTT AND LYONS." Should be "**JOE CHARIOTT AND TIM LYONS.**"
3. Page 6, line 1 – should read "**The following action was taken after coming back into public session.**"

**** MR. COGGIN MOVED TO APPROVE MARCH 10, 2003 MINUTES AS CORRECTED.**

**** MR. FEINSTEIN SECONDED THE MOTION.**

**** MOTION CARRIED UNANIMOUSLY.**

3. APPROVAL OF MINUTES FROM MARCH 21, 2003 SPECIAL COMMISSION MEETING

1. Page 1, 2nd par., line 2 – "imbursement" should be "**reimbursement.**"
2. Page 1, 4th par. and throughout document - "Coggins" should be "**Coggin.**"
3. Page 2, 2nd par., - should read "**The Commissioners plus George Leary, Atty. Chris Hodgson, Atty. Larry Dennin and Ron Scofield went into Executive Session at 8:20 a.m. and reconvened into Public Session at 8:45 a.m.**"
4. Page 2, 3rd par., line 1 and throughout document – "Provaro" should be "**Favaro.**"
5. Page 4, 1st par. should read – **The Commissioners plus George Leary, Atty. Chris Hodgson, Atty. Larry Dennin and Ron Scofield went into Executive Session at 9:27 a.m. and reconvened into Public Session at 9:35 a.m.**"
6. Page 4, 3rd para. – should read **The Commissioners plus George Leary, Atty. Chris Hodgson, and Atty. Larry Dennin went into Executive Session at 9:36 a.m. and reconvened into Public Session at 9:45 a.m.**"

**** MR. COGGIN MOVED TO APPROVE MARCH 21, 2003 MINUTES AS CORRECTED.**

**** MR. FEINSTEIN SECONDED THE MOTION.**

**** MOTION CARRIED UNANIMOUSLY.**

7. APPROVAL OF MINUTES FROM APRIL 14, 2003 MEETING

1. Page 2, 2nd par., line 1 – "have" should be "**has.**"
2. Page 2, 3rd par., line 2 – should read "**balance sheet item.**"
3. Page 3, 4th par., line 4 – "Tenor's" should be "**Tenore's.**"
4. Page 3, 5th par., line 2 – "between the them" – delete "**the.**"
5. Page 3, 5th par., line3 – "CMEEC are fighting" should read "**CMEEC is fighting.**"

6. Page 3, 6th par., line 5 and last par., line 3 – “Roland” should be “**Rowan.**”
7. Page 3, last par., line 3 – “He said he would . . .” should read “**He said it would . . .**”
8. Page 4, 2nd par., line 1 – “respect of” should be “**respect to**”
9. Page 4, 5th par., line 1 – should read “**Mr. Coggin asked the official date and suggested an event commemorating the 90th anniversary of the District.**”
10. Page 4, par. 10, 2nd and 3rd lines – should read “**added that the right confidentiality agreements should be put in place as they are dealing with individuals’ accounts.**”
11. Page 5, 2nd par., line 3 – “office” should be “**offer.**”
12. Page 5, 3rd par., line 7

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17. Page 5, 8th par., line 3 – delete “they could donate it.”
18. Page 5, 9th par., line 1 – “with” should be “**to.**”
19. Page 6, 1st par., line 1 – “renting area” should read “**renting an area.**”
20. Page 6, 5th par., line 3 – “assets smoothly” should read “**asset smoothing.**”
21. Page 7, 3rd par., lines 2 and 3 – should read “**have a policy book that includes all of the currently approved policies, separate from the draft ones they are working on.**”

**** MR. BROWN MOVED TO APPROVE APRIL 14, 2003 MINUTES AS CORRECTED.**

**** MR. COGGIN SECONDED THE MOTION.**

**** MOTION CARRIED WITH ONE ABSTENTION, (MR. FEINSTEIN).**

8. APPROVAL OF MINUTES OF MAY 5, 2003 MEETING

1. Page 1, “OTHERS” and throughout document, – “Brew” and “Grew” should be “**Breu.**”
2. Page 1, 4th par., line 1 – “O’Leary” should be “**Leary,**” last sentence should read “**When looking across the board, this district has one of the lower rates in the area.**”
3. “CeCe” should be “**Cece**” throughout document.
4. Page 2, 3rd par., second sentence – should read “**Mr. Coggin said he understood that there would be an April meeting specifically for public comment.**” Last sentence - delete “necessarily.”
5. Page 2, 4th par., 1st and 3rd sentences – “Brew” should be “Breu,” 2nd sentence “**Mr.**

Coggin stated that the April meeting was specifically for public comment, but that the May meeting is open to the public, but not specifically scheduled for public input, but public comments could be added.”

6. Page 2, par. 6, line 1 – should read **“Mr. Orris stated that”**

7. Page 3, 8th par. 1st sentence – “improvement” should be **“Improvement Association’s line item.”** “someone would have made a motion.” should be deleted. 4th line – “There should” should read **“There could.”**

8. Page 3, 10th par., 1st sentence – should read **“Atty. Dennin stated that that was”**

9. Page 4, 2nd par., 1st sentence – delete “to avoid confusion.”

10. Page 4, 5th par., last line – “included” should be **“include.”**

11. Page 4, 7th par., last sentence – should read **“Mr. Brown agreed that this is good to do.”** Remainder of sentence should be deleted.

12. Page 5, 1st par., line 3 – “by” should be **“at”**

13. Page 5, 3rd Motion and Amendment - “AMMEND” should be **“AMEND;”** “AMMENDMENT” should be **“AMENDMENT;”** “AMMENDEED” should be **“AMENDED.”**

14. Page 5, last par. – should read **“For the record, even though he felt Kim Snow’s presentations were helpful, Mr. Coggin stated that he felt that Mr. Leary was capable of answering any financial questions.”**

15. Page 6, 1st Motion – “KEN” should be **“KEVIN”**

16. Page 7, 1st par., line 1 – “NorthEast” should be **“Northeast”**

17. Page 7, 2nd par., line 1 – should read **“have been looking”**

18. Page 7, 4th par., last sentence – should read **“Each pole has a tag. If repair is needed, the tag number is helpful to identify the line.”**

19. Page 7, 5th par., 1st sentence – delete “for daytime lighting”

20. Page 7, 5th par., line 4 – “time” should be **“kind”**

21. Page 7, 6th par., 2nd sentence – should read **“The District is a municipal utility and is required to make not less than 5% but not more than 8% of total profits as a percentage to plant cost.”**

22. Page 7, 6th par., line 3 – “City” should be **“District;”** line 4 “plants” should be **“plant;”** line 5 – “reflect” should be **“reflects.”**

23. Page 7, 7th par., line 3 – insert **“half”** between “that” and “the;” last sentence should read **“Once the new system is up and running some projections can be made.”**

24. Page 8, 1st Motion and 1st and 2nd pars. – “Kurdi” should be **“Curti.”**

25. Page 8, 3rd par. – “capitol” should be **“capital.”**

26. Page 8, 4th par. – “NAPA” should be **“NEPPA.”**

27. Page 10, last par. – add **“Three commissioners plus Atty Dennin, Atty. Hodgson, Mr. Leary and Mr. Scofield were present.”**

28. Page 11, 1st par. – add **“No action was taken.”**

- ** MR. BROWN MOVED TO TABLE APPROVAL OF MAY 5, 2003 MINUTES UNTIL NEXT SCHEDULED MEETING (AT WHICH TIME MR. BROWN WILL RUN THE TAPE).**
- ** MR. FEINSTEIN SECONDED THE MOTION.**

Mr. Coggin asked what the process was for making changes and if they could get updated copies. Mr. Brown said he had been talking to Cheryl [Telesco] about this and would look into what it would cost. He said they just might get a verbatim transcript. Mr. Coggin again asked if they could get the current changes made so the next time they looked at the minutes, all of the other corrections would have been made. Mr. Feinstein said they were tabling a discussable item. Mr. Brown said no.

- ** MOTION PASSED WITH ONE ABSTENTION, (MR. COGGIN).**

The rule was suspended for comment by Ms. Cece. Mr. Feinstein thought they had to know what the topic was. Ms. Cece said part of the minutes was in question; and she wanted to go on record as saying she wanted the verbatim on tape. She said if it were not verbatim, they were going to leave out the answer to her question. Mr. Coggin said she should have mentioned that 30 minutes ago. Mr. Brown said the difference between what they were getting and verbatim was a matter of cost – that it cost \$175.00 for notes and \$500.00 for verbatim transcriptions. Ms. Cece asked if they could get a verbatim transcription of just the section that was in question. Mr. Brown said he would find out, legally, if it could be done. Ms. Cece said she would know for the future to take more detailed notes. Mr. Brown said perhaps these particular minutes were important enough that they should be done verbatim.

9. GENERAL MANAGER'S REPORT

Subaru Lease – Mr. Leary said that at a prior meeting, he had been asked about the buy-out on the Subaru. He said the lease on it was due to expire on June 23, 2003. The purchase price is \$18,551.08 and the Blue Book retail is \$14,525.00. Mr. Leary suggested that the car be returned.

Memorial Day Parade – The yellow meter truck with the new logo will be in the Parade. It will be decorated and will be third from the last in line. Mr. Brown asked if it would be decorated with red, white and blue bunting with a sign in back saying “Honor Our Vets.” He said Timmy would be driving the truck and that any commissioner who wished to ride in it would be welcome to do so. Mr. Coggin thanked Mr. Brown for making it known and promised to get back to Mr. Leary as to whether or not he would be riding during the Parade. Mr. Brown said the logo would read “Third Taxing District.”

Fiber Optic Lines – A meeting was held with the consultant for the City on coordinating the District's fiber optic line installation with theirs. They plan to run to Marvin School. The schedule for the City project is very uncertain and a great deal needs to be worked out before they start running cable. The initial idea is to use the City fiber from the East Avenue Substation to the Rowan St. Substation. In return, the City would use the District's fiber from Rowan St. Substation to Second St. and extend from Second St. to Marvin School. Mr. Leary said he would continue to try to coordinate with the City in a way that it would be mutually beneficial.

SNET Pole Attachment Contract – SNET is currently under contract with all Connecticut municipal utilities to administer and bill pole attachments. Under this agreement CATV or other similar operators that need to attach lines to District poles work through SNET. SNET surveys the poles, determines if space is available or if work is required to make space available, they arrange for payment in advance from CATV and bill for attachments twice annually. SNET currently charges the District \$1,000 per year for this service. CATV revenues to the District are \$3,110 per year.

CMEEC held an initial meeting of the municipals with SNET to coordinate the negotiations. SNET wants a large increase in their annual fee and is threatening to terminate the contract in June if a new agreement cannot be negotiated. Groton has already signed an agreement with SNET. SNET has asked for a confidentiality agreement prior to starting negotiations.

Mr. Leary believes the current charge of \$1,000 is high, considering that there is little or no attachment activity and none expected. SNET is charging CATV only \$5.83 per pole per year. This money is shared between SNET and the District on most poles since most are jointly occupied by both utilities. Mr. Leary believes this charge is low. SNET is very reluctant to charge more or to agree to let the District charge more. Mr. Leary believes the District's greater interest is to resolve questions it has concerning the joint pole ownership agreement it has with SNET. He thinks there may be an opportunity to clarify and update the agreement to mutual advantage.

SNET has been coordinating both attachments, mostly for cable TV. If someone wants to attach to a pole, they go to SNET and SNET takes care of everything. They have asked for very substantial increases in fees and Mr. Leary is trying to coordinate a response to this. Mr. Brown suspects that Groton got a better deal than anyone else will get. Mr. Leary said he did not believe they needed SNET. He believes the District can justify a much higher fee. He is meeting with them on Tuesday to see what their proposal is. Mr. Feinstein wants to make sure they do not end up with a big tower because of it. Mr. Leary believes there is money to be made. He thinks they should be charging the cable company more and paying SNET less. Mr.

Feinstein asked Mr. Leary to check into that because his understanding is that the District owns every other pole. Messrs. Brown and Coggin agreed. Mr. Leary said that in the joint ownership agreement, they divided the territory in half. He said under the sharing agreement, the District owned half of SNET's poles and SNET owned half of theirs. Mr. Dennin agreed, saying they were tenants in common with SNET. He said he had been told that no money changes hands between SNET and the District.

Mr. Curti asked that the rule be suspended for comment.

**** MR. BROWN MOVED TO SUSPEND THE RULE FOR COMMENT.**

**** MR. COGGIN SECONDED THE MOTION.**

**** MOTION CARRIED UNANIMOUSLY.**

Mr. Curti asked about the abandoned system that was on the District's poles. He asked if SNET were obligated to remove them. Mr. Leary said SNET claimed that everything on the poles is in their space. The SNET representative did not know much about the system SNET had abandoned. Mr. Curti said they did not abandon them that long ago. Mr. Leary said it was a mess. He said CATV was also all over the place but that the phone company was worse. Mr. Curti asked if the District had received any money from SNET when the system was up and running. Mr. Leary said they had not as they jointly shared the poles. He said SNET had also not received any money from the District.

Radix – Meter reading using the Radix devices began on May 1st. There have been numerous issues involving software, partly with Radix and mostly with Munis Billing. Munis has been reasonably responsive in resolving the issues as they arise but, to date, does not have the system operating smoothly. The monthly billing was completed on schedule due in large part to the efforts of the meter and billing personnel. It is already apparent that the Radix system will save time and produce more accurate bills.

Mr. Leary said the system worked nicely but there were a lot of problems with the billing system. The billing system people did work hard on it. He said it was hard to believe that the system was so much different from any other system they have but they seem to have to re-invent the wheel every time. He said everyone was pleased with the way it worked so far.

Meter Audit – The starting date for the meter audit is June 16th. Mr. Leary said this is what they really wanted. Mr. Feinstein said if the audit did not take place, they should have it on the agenda for the June 23rd meeting to reconsider. Mr. Leary said he would report to the commissioners on the progress.

System Improvements -

Emergency Generator – The contractor has been on site continually for about three weeks installing the emergency generator. The generator is on the pad, the transfer switch is installed and the underground conduit and wire are in place. The office will shut down and the electrical transfer will be made on Saturday morning, May 17th. The factory representative from the generator manufacturer will be on site Tuesday, May 20th to place the generator in service. Following the generator startup, there will be only minor clean-up work to do. The generator should not make any significant noise.

Substation Cable – Engineering work is proceeding on the substation feeder cable upgrade. The plan is to have material on hand and contracts in place to do this work beginning in mid-September, after the Oyster Festival. Joe Castino is getting the bids. They already have two bids that are within the budget.

Fence Bids – Fence bids will be publicly open on May 28th at 4:00 p.m.

Legislation –

District Bill – File 379, Substitute House Bill 5589 would provide for District changes with and without elector approval. The bill originally was intended to affect a fire district. Mr. Brown has expressed the District's concerns to Rep. Duff; and Mr. Hiscock has contacted several legislators, including Messrs. Mann and Wallace. However, they will have to stay on top of it. Atty Dennin said he had contacted Rep. John Ryan but only heard from his assistant. He let the assistant know of their objections. He was told that it was coming out of Enfield. Mr. Brown said Rep. Duff believed it would die. He said if the population was 100,000, the Council could abolish it. He said the population is over 80,000 now. He has talked to Michael Lyons, who said he would talk to Reps. Ryan and Genuario. Judith Freedman is the other representative. Mr. Dennin said, regardless of what the population is, they could increase the number of commissioners to five and have rules about putting items on electors' meetings. He said this did not work in the Third Taxing District. Mr. Brown said Rep. Duff did not believe it would make it to the floor for a vote.

An Act Concerning Revisions to the Electric Restructuring Legislation – This forty-page bill is being carefully monitored by CMEEC. It provides, in part, for an extension of standard offer service past 12/31/03 at higher prices. This "Transitional Standard Offer Service" will run through 2006 at a regulated price and thereafter at cost of service.

CL&P Power Supply – NRG Co. is a major supplier of generating service to CL&P and has filed for bankruptcy and served notice that they will no longer honor their CL&P contracts. The effect of this is financial and will not affect reliability. Mr. Coggin said it was going to give a fairly

substantial increase after June to CL&P customers. He said CL&P was in a battle with NRG and that day was the last day they [CL&P] would get energy.

Defibrillator Training – Training is schedule for May 28th.

Special Meeting – A special meeting with the ENIA has been scheduled for June 5th at 7:00 p.m. at the East Norwalk Library. The most effective way to notify the citizens is to send a postcard.

Mr. Brown said the special meeting came up at the public hearing. There was no one at the hearing from the Improvement Association. He said the public wanted to have a meeting with everybody. He said there were 25 people on the Improvement Association, 10 on the steering committee, and three commissioners and that a public hearing at the library would be impossible to manage. He said the consensus was that it had to be a special meeting of the commission, but feels it has to be structured somehow. He believes there should be an avenue for public participation since the meeting will be in answer to their request. He asked for ideas regarding a format for this meeting. Mr. Coggin asked if Mr. Brown was asking whether or not there should be a public hearing or only asking about the meeting part of it. Mr. Brown said he wanted input on both issues. He wanted to know how the commissioners felt about a public hearing. Mr. Coggin said, knowing the complexity of the meeting itself, between the three official groups, it could be a fairly long meeting; but he also recognized that the public should be given a chance to speak. He advocated for a meeting beginning with a brief public input period of 30 minutes. He said they could accommodate 30 people speaking for up to one minute each, and if there were an overwhelming response from that, then another proper public hearing could be organized for July or September. He said this meeting was for the purpose of conducting business but a piece of it should be open to the public. Mr. Brown said they had need of a public hearing. He said they were told that September would be the next public hearing date. Mr. Coggin said that was too far off. Mr. Brown agreed. Mr. Coggin thought they should hold a business meeting that was open to the public. Mr. Brown asked if the public part would come before or after the meeting. Mr. Coggin said it should come before the meeting. Mr. Feinstein said they were more of a republic than a democracy. He was opposed to the creation of the steering committee. He said the steering committee was supposed to speak for the public. He said Steve Orris came to them requesting that a public meeting be held, not a public hearing. He said they already had the representatives of the public and of the District and the Improvement Association, and it would be a public meeting, not a public hearing. He said they were going to have almost 40 people who were officials of this public meeting, all of whom would have something to say, and that would take more than a minute. He said having it without public comment as part of the agenda would be sufficient. He thought the object of the meeting was to have the three entities meet, greet and plan. Mr. Coggin asked Mr. Feinstein if he objected to having public comment. Mr. Feinstein answered in the affirmative. Mr. Brown said Terry Rooney had called and said he wanted to have an informal get-together. Mr. Brown told him that they could not do that because when two

commissioners get together, it becomes a meeting. Mr. Brown asked Mr. Rooney what he would like to go into the paper as agenda items. Mr. Rooney said they did not have to have agenda items. Mr. Brown said Mr. Rooney was trying to have an informal meeting without the public. Mr. Brown disagreed with Mr. Feinstein, saying he had attended a public hearing where the people had said "let's get them all together at the same time." He said none of the Improvement Association members was there. He believes they should hear the concerns of the public in a public session. He also believes the public should be notified by postcard of the next meeting. Mr. Coggin agreed. He then asked Mr. Brown what forum he was thinking of. Mr. Brown asked if he were speaking in terms of time limits or of sign-up sheets. He said they would have sign-up sheets. He did not want to limit time to 30 minutes. He wanted to hear what everyone who signed up had to say. He said he would like to get formal approval through a motion that that was what they were going to do. Mr. Dennin commented that it had morphed into a new item for the agenda. Mr. Feinstein said they did not typically put such things on the agenda. Mr. Brown said he wanted it publicly noted that two of the commissioners were open for public comment and one was opposed to it. Mr. Coggin said they did not have to decide on the agenda at that meeting. Nevertheless, because of the nature of the other groups involved, he said it did require the type of attention that Mr. Brown was suggesting. Mr. Dennin said when this meeting first came to his attention, he was told that the Improvement Association wanted the meeting to receive legal advice and that it would not be an FOI meeting. He said the issue was who was going to chair the meeting. He said the Improvement Association wanted a way to call the meeting so they would have the gavel.

Mr. Brown said he did not want to limit the public comment session. He said they were there for the public and he was totally opposed to limiting any of their comments in any way. Mr. Feinstein noted that the steering committee was composed of members of the public. He said they would certainly have the option of having and should have other meetings subsequent to June 5th, specifically for public comment and input. He noted that there was a public meeting a few weeks ago. He said the main objective of the June 5th meeting was to allow the Commission, the steering committee and the Improvement Association to discuss the matter so as to transact business. He said if the 45 minutes were filled up, they should immediately move to have a public hearing down the road. He reiterated that the purpose of the upcoming meeting was to transact business. Mr. Coggin wanted to know the level to which the steering committee had kept the public informed.

- ** MR. BROWN MOVED TO SUSPEND THE RULE TO ALLOW PUBLIC COMMENT.**
- ** MR. COGGIN SECONDED THE MOTION.**
- ** MOTION CARRIED WITH ONE OPPOSED (MR. FEINSTEIN).**

Ms. Cece said she is on the steering committee. She said she had no understanding that she

represented the public. Regarding public comments, she said there had to be a reasonable amount of time allowed. She then asked if public comment at all of the meetings would be limited to Third Taxing District taxpayers or to people all over Norwalk. Mr. Coggin said he thought it should be limited to people who had a stake in it as well as experts and officials. Ms. Cece asked if people would have to show their voting cards. Mr. Brown said they would not. He said people who would be allowed to speak should be people who had a financial stake in it. He said he was most impressed with the architect [Mr. Van Summern] who had spoken at the last public hearing. Mr. Curti expressed his surprise that the architect had input. Mr. Feinstein said Earl Carpenter did not even live in the District but was vice president of the Improvement Association. Mr. Coggin said there was nothing they could do about that. Mr. Brown said the postcards would go out to rate payers. Ms. Cece said people should have to give their names and addresses. She said, otherwise, people could have input who did not live in East Norwalk and would suffer no financial impact. Mr. Coggin said one could also get a group of people to support the other side. Ms. Cece said there should be some control over who could speak unless the rule was suspended to hear from an expert. She said if there were going to be a limited amount of time, some control should be put on who would be allowed to speak. Mr. Coggin said that was a detail that they did not have to officially move on. Mr. Brown said there would be public comment. He, however, did not agree with the limit.

**** MR. FEINSTEIN MOVED TO INCORPORATE COMMENTS HE MADE PRIOR TO THE MOTION INTO THE MOTION.**

**** MR. COGGIN SECONDED THE MOTION.**

**** MOTION CARRIED UNANIMOUSLY.**

**** MR. COGGIN MOVED THAT THE GENERAL FORMAT FOR THE JUNE 5, 2003 MEETING BE AS FOLLOWS: A PUBLIC COMMENT SESSION OF UP TO 45 MINUTES AS THE FIRST AGENDA ITEM, WITH PEOPLE SPEAKING ON A FIRST COME, FIRST SERVE BASIS, ACCORDING TO A SIGN-UP SHEET; AND, AFTERWARD, THE COMMISSION WILL TRANSACT AND DISCUSS BUSINESS WITH THE IMPROVEMENT ASSOCIATION AND THE STEERING COMMITTEE.**

**** MR. FEINSTEIN SECONDED THE MOTION.**

**** MOTION CARRIED WITH ONE OPPOSED (MR. BROWN).**

**** MR. BROWN MOVED THAT RATE PAYERS BE INFORMED OF THE MEETING BY POSTCARD.**

**** MR. COGGIN SECONDED THE MOTION.**

Mr. Feinstein said when the steering committee was formed, there was never a budget item for the steering committee. He said \$812.00 had already been spent for postcards and now they

wanted to spend another \$800.00 to send post cards out for this meeting and he is opposed to it. Mr. Coggin said, for the record, he recollected that there was a fairly large amount of money set aside at the District level that was ample enough to pay for postcards. He said he believes the amount is \$15,000. He also said money for the architect was not fully spent so there was surplus money there as well. He said to suggest that they were blowing the budget was misleading. Mr. Brown agreed, chiding Mr. Feinstein that he agreed totally on spending \$1.3 million on “the jewel of East Norwalk,” but was not willing to spend \$800.00 to let the public know about the meeting.

**** MOTION CARRIED WITH ONE OPPOSED (MR. FEINSTEIN).**

10. CMEEC FINANCIAL

**** MR. FEINSTEIN MOVED TO TABLE THIS ITEM UNTIL THE
NEXT REGULAR MEETING.**

**** MR. COGGIN SECONDED THE MOTION.**

**** MOTION CARRIED UNANIMOUSLY.**

11. PENSION PLAN UPDATE

**** MR. FEINSTEIN MOVED TO TABLE THIS ITEM UNTIL THE
NEXT REGULAR MEETING.**

**** MR. COGGIN SECONDED THE MOTION.**

**** MOTION CARRIED UNANIMOUSLY.**

12. SUBARU LEASE

**** MR. BROWN MOVED TO FOLLOW MR. LEARY’S
RECOMMENDATION TO NOT PURCHASE THE SUBARU.**

**** MR. FEINSTEIN SECONDED THE MOTION.**

**** MOTION CARRIED UNANIMOUSLY.**

13. WRITE-OFF PROCEDURE

Mr. Dennin had drafted a proposed procedure for write-offs. Mr. Dennin said when the buyers’ attorney checked with the District to see if there were any outstanding electric bills, he found that there was \$1,331.00 in bills that spanned the years 1986 – 1992. He said the District had a provision that they have lien rights on past due electric bills. The property owner is ultimately liable for the bills, even if the property was rented at the time the charges were incurred. He said Mr. Feinstein thought only the commissioners had the authority to write off bills. Mr. Dennin

said it if was a small amount, the General Manager should be able to write it off; but if it were a substantial amount, it should come before the Commission. He said there had been a settlement offer and HE recommended taking it. Mr. Brown said there had been instances where an office manager wrote off bills but had not had the authority to do so. Mr. Coggin asked if they could reference the amount to be in a table of residential and commercial accounts and have an amount for each. Mr. Brown said anything over \$250.00 should go before the Commission. Mr. Coggin, reading from a statement drafted by Atty. Dennin, said if the past due amount exceeded \$250.00, the write-off had to be approved by a majority of the Board of Commissioners after receiving a written request from the customer. Mr. Brown said those people did not want to pay their bills and were going to ask to be forgiven. Mr. Leary said they asked for it through their attorney at the time of sale. Mr. Coggin said the third item should deal with when they impose the lien. .

**** MR. FEINSTEIN MOVED TO TABLE THIS ITEM UNTIL THE
NEXT REGULAR MEETING.**

**** MR. COGGIN SECONDED THE MOTION.
** MOTION CARRIED UNANIMOUSLY.**

11. CREDIT CARD RESOLUTION.

Mr. Coggins, referencing the agreement between the Commission and the bank, asked if it and the policy update that pertained to purchasing could somehow be tied together with it if they gave those cards to people with a \$2,000.00 spending limit. Mr. Brown said however the cards were used, they had to follow the policy. Mr. Dennin said there was still confusion with the bank. He said the idea was that there would be one card in his possession, and if an emergency purchase had to be made, those were the people who would have to sign it. Mr. Leary said they were for people who did not have a credit card or did not want to use their own. Mr. Brown said if one had to go out of the City to get something, right away they would be asked for a credit card. He said this way, the District would have its own card and people would not have to use their own. Mr. Coggin asked about the legal definition of the Third Taxing District. Mr. Feinstein thought Mr. Leary's name should be added to it. Mr. Brown had no problem adding Mr. Leary's name on it. Mr. Leary said he did not need it as he could use his own card.

**** MR. FEINSTEIN MOVED TO APPROVE BORROWING RESOLUTION
TO INCLUDE GEORGE LEARY'S NAME.**

**** MR. COGGIN SECONDED THE MOTION.
** MOTION CARRIED UNANIMOUSLY.**

12. STREET LIGHT BIDS

Mr. Leary proposed 100 fixtures, but said they would need more. He said the mercury vapor fixtures used more energy and gave less light and should have been done away with a long time ago. Mr. Feinstein asked who was going to dispose of the ones being taken down. Mr. Leary said he did not think that was a problem now but that it was about to become one.

**** MR. COGGIN MOVED TO ACCEPT MR. LEARY'S RECOMMENDATION OF WESTCO FOR STREET LAMPS REPLACEMENT.**

**** MR. BROWN SECONDED THE MOTION.**

Mr. Feinstein asked why didn't this fall under capital budget item. Mr. Leary said it did. He said if they had a capital budget, this would be part of it. Mr. Feinstein asked if they had a capital budget. Mr. Leary said not that he knew of. Mr. Coggin said he had not seen a capital budget. Mr. Brown said they would see one very shortly.

**** MOTION CARRIED UNANIMOUSLY.**

13. FLOOR COVERING BIDS

Mr. Leary said all the bids were not yet in.

**** MR. FEINSTEIN MOVED TO TABLE THIS ITEM UNTIL THE NEXT REGULAR MEETING.**

**** MR. BROWN SECONDED THE MOTION.**

**** MOTION CARRIED UNANIMOUSLY.**

14. APPROVAL TO ATTEND NEPPA UTILITY EXPO. JUNE 9, 10, 2003

Mr. Leary requested permission to attend the NEPPA Utility Conference and Expo for himself and Ray Mitchell. There is a \$150.00 registration fee and the expo will be held in Springfield, Massachusetts.

**** MR. BROWN MOVED TO APPROVE MR. MITCHELL'S ATTENDANCE AT EXPOSITION ON JUNE 9 AND 10, 2003.**

**** MR. BROWN SECONDED THE MOTION.**

Mr. Feinstein asked Mr. Leary if he were asking for Greg Goldstein and Ray Mitchell to attend for two days at \$275.00 per and for Mr. Leary to attend one day at \$150.00. Mr. Leary said they could not have both Greg and Ray gone at the same time. He said if Ray only wanted to go one day, Greg could go the other day. He said he would have to work it out with Ray. Mr. Leary only wanted to attend one day.

**** MOTION CARRIED UNANIMOUSLY.**

15. GENERAL MANAGER CONTRACT

This item was moved to the end of Agenda (item 17.a) as the internal discussion to finalize the contract would be done in executive session. There will be a public discussion after finalization but before the contract is signed, as the contract has to be ratified in public session.

16. POLICY UPDATE

Mr. Leary said he had the policy on purchasing.

**** MR. FEINSTEIN MOVED TO TABLE THIS ITEM UNTIL THE
NEXT REGULAR MEETING.**

**** MR. BROWN SECONDED THE MOTION.**

**** MOTION CARRIED UNANIMOUSLY.**

17. ARBITRATION SETTLEMENT

Mr. Leary said at the last meeting, the Commission authorized a settlement with two employees (Ray Mitchell and Gregg Goldstein) within the parameters (\$1100 and \$900).

**** MR. COGGIN MOVED TO SET A DATE FOR A PUBLIC HEARING
FOR JUNE 24, 2003.**

**** MR. BROWN SECONDED THE MOTION.**

**** MOTION CARRIED WITH ONE OPPOSED (MR. FEINSTEIN).**

Mr. Coggin said the steering committee would meet on the fourth Tuesday of each month. He proposed that a public hearing be held for library improvements for June 24th at 7:00 p.m., the location to be determined. He said the date would have to be coordinated with Steve Orris as well as with the steering committee. Mr. Brown suggested that Mr. Leary poll the two committees for that meeting date and time. Mr. Coggin noted that this meeting was specifically for a public hearing. He then withdrew his motion.

**** MR. COGGIN MOVED TO ASK MR. ORRIS TO SCHEDULE A
PUBLIC HEARING ON JUNE 24, 2003 FOR THE PURPOSE OF
ENGAGING THE PUBLIC.**

Mr. Brown asked Mr. Dennin what would happen if two or three of the commissioners showed up. Mr. Feinstein said the committee meets on Thursdays. Mr. Brown asked how that was different from June 5th. Mr. Coggin said June 5th was a meeting of public officials. He said for those people who do not get a chance to speak, they would have a chance to speak on the 24th of June. Mr. Dennin said if the purpose was to have a public hearing, the commissioners should hold the public hearing and invite them. Mr. Coggin felt it was appropriate to ask Mr. Orris to organize it. He said this was the reason the steering committee was formed. He said it was important to have as many of this group as possible in attendance.

**** MR. BROWN SECONDED THE MOTION.**

Mr. Feinstein said it would be much more prudently handled as an agenda item for June 5th. Mr. Coggin said that was another good way to go. He said the only challenge was that they did not have a lot of time to announce it. Mr. Feinstein said, supposedly, there were a lot of people who wanted to speak. He said if they saw on the Agenda a time for public hearing, they could say, "I would like to see the meeting in three weeks." Mr. Brown said Mr. Orris had asked for "direction" on what the Commission wanted him to do. Mr. Brown did not have a problem going along with Mr. Coggin.

**** MOTION CARRIED WITH ONE OPPOSED (MR. FEINSTEIN).**

17a. EXECUTIVE SESSION

The commissioners and Mr. Leary and Atty. Dennin went into executive session at 9:55 p.m. for the purpose of discussing the General Manager's employment contract. No action was taken. They reconvened into public session at 10:09 p.m.

18. ADJOURNMENT

The meeting adjourned at 10:20 p.m.

Respectfully submitted,

Linda Maddox
Telesco Secretarial Services